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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,149	04/23/2001	Ranjit Sahota	40004572-0002-002	6058

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SONNENSCHEIN NATH & ROSENTHAL LLP
P.O. BOX 061080
WACKER DRIVE STATION, SEARS TOWER
CHICAGO, IL 60606-1080

EXAMINER	
KOENIG, ANDREW Y	
ART UNIT	**PAPER NUMBER**
2623	

MAIL DATE	DELIVERY MODE
11/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/841,149	SAHOTA, RANJIT	
	Examiner	Art Unit	
	Andrew Y. Koenig	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 August 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *9/10/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 31 August 2007 have been fully considered but they are not persuasive.

The applicant argues that Marler does not teach or suggest "creating an integrated video data stream by integrating interactive content with a video data stream in response to one or more triggers." The examiner disagrees; in that Marler clearly teaches creating an integrated video stream by integrating interactive contents (announcement, resource, triggers) with a video stream in response to one or more triggers. The applicant further contends that a trigger is one of the components (announcement, resource, and trigger) of enhancement data to enable integrated, thus there is no integrated video data stream being created by integrating interactive content with a video stream in response to one or more triggers. Again, the examiner disagrees; but notes that perhaps the examiner and applicant differ in their respective definitions of "integrated video data stream." The examiner notes that the mere adding additional information to a video stream would result in an "integrated video data stream" as there is a step of adding information to a video stream. Since Marler teaches at least one embodiment in which an indicator (label 34) is added to the video (thus creating an integrated video signal in response to triggers) in addition to the rest of the limitations of the claim, Marler anticipates the claim.

Further, the applicant argues that Mao and Marler fail to teach the limitation of integrating interactive content with a video stream in response to one or more triggers,

however the examiner notes that the applicant makes no specific argument is thus relies on the discussion of Marler above.

The applicant argues that Mdepski and Mao fails to cure the deficiency to add interactive programming to television signal prior to broadcasting, and elaborates that the triggers of Zdepski are part of interactive content much like the triggers of Marler and are not triggers based on which interactivity is integrated in a video data stream. The examiner disagrees with the definition as asserted by the applicant and notes that the claims merely recite triggers, and does not preclude the trigger as part of interactive content. Moreover, the claims fail to recite a limitation to exclusively capture a) triggers based on which interactivity is integrated in a video data stream and b) triggers not part of interactive content.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 8, 15, 20, 24, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication 2001/0003212 to Marler et al. (Marler).

Regarding claims 1, 8, 15, 20, 24, and 27, Marler teaches a content creator (12) providing enhancement data and television content to be transmitted by the transport operator (14) (pg. 1, para. 0013) to receivers (16). Marler teaches in response to one or more ATVEF triggers (pg. 2, para. 0020-0021), creating an integrated video data stream by integrating interactive content into the video stream (pg. 3, para. 0031-0032) and transmitting the integrated video data stream to one or more receivers for display (pg. 2, para. 0024,0026, pg. 3, para. 0027, 0030 – see separate transport stream).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mao (US 6,459,427) in view of Marler et al (US 2001/0003212).

Regarding claims 1, 8, 15, 20, 24 and 27 Mao discloses a system and method for integrating television content with internet content. Mao discloses a headend (fig 1) which creates an integrated video data stream by automatically integrating interactive web content received or downloaded from the world wide web 110 (see fig 1) with TV

broadcast content received from analog TV source 30 or digital TV source 40 via receiver 60 (see fig 1). Mao further discloses transmitting the integrated content to a client set-top terminal 150 for display on a TV (see fig 1).

Mao fails to disclose automatically integrating interactive content with a video stream in response to one or more triggers.

In analogous art, Marler teaches a content creator (12) providing enhancement data and television content to be transmitted by the transport operator (14) (pg. 1, para. 0013) to receivers (16). Marler teaches in response to one or more ATVEF triggers (pg. 2, para. 0020-0021), creating an integrated video data stream by integrating interactive content into the video stream (pg. 3, para. 0031-0032). Consequently, Marler teaches automatically integrating interactive content with a video stream in response to one or more triggers.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mao by automatically integrating interactive content with a video stream in response to one or more triggers as taught by Marler to include the claimed triggers for the benefit of having a system which automatically inserts interactive content.

Regarding claims 2, 9, 18 and 22, Mao discloses the additional web based information is a web page about a TV commercial (see col 2 lines 65 – 67). Necessarily, the web page is advertising content.

Regarding claims 3, 10 and 25 Mao discloses the user can displaying the associated web page with the TV commercial (see col 2 lines 65 – 67) and thus discloses linking the interactive content with the TV broadcast.

Regarding claims 4, 11 and 26 Mao fails to disclose displaying the integrated content to allow a user to interact with the interactive content.

Official Notice is taken it would have been well known to integrate a first content with a second interactive content for the benefit of enhancing a user's viewing experience. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mao to include the claimed limitation for the benefit of enhancing a user's viewing experience.

Regarding claim 5 and 12, Mao discloses transmitting the TV broadcast with web pages (see fig 1 and col. 4 lines 20 – 25). It is noted that Mao does not disclose modifying the interactive content and the TV broadcast content.

Regarding claims 6 and 13, Mao fails to disclose the claimed advertising banner. Official Notice is taken it would have been well known that displaying an advertising banner both provides displaying additional information while minimizing obstruction of the primary video content. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mao to include the claimed limitation for the benefit of providing a viewer with additional information while minimizing obstructing viewing of the primary video content.

Regarding claims 7 and 14, Mao discloses providing customized and targeted integrated content (see col 2 lines 40 – 45).

Regarding claim 16, Mao discloses the user can access additional information about a commercial (see col 2 lines 63 – 65) and thus discloses the claimed limitation.

Regarding claims 17 and 21, Mao discloses the claimed set-top box 150 (see fig. 1).

Regarding claims 19 and 23, Mao discloses customizing the interactive content for specific users but fails to disclose customizing the interactive content for a specific market, group or geographic region.

Official Notice is taken targeting commercials for a specific market, group or geographic region efficiently provides targeted advertising to a larger group of people. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mao to include the claimed limitation for the benefit of providing targeted advertising to a larger group of people thus providing a more efficient system for targeting ads.

Claims 1 – 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mao (US 6,459,427) in view of Zdepski et al. (US 6,006,256).

Regarding claims 1, 8, 15, 20, 24 and 27 Mao discloses a system and method for integrating television content with internet content. Mao discloses a headend (fig 1) which creates an integrated video data stream by automatically integrating interactive web content received or downloaded from the world wide web 110 (see fig 1) with TV broadcast content received from analog TV source 30 or digital TV source 40 via

receiver 60 (see fig 1). Mao further discloses transmitting the integrated content to a client set-top terminal 150 for display on a TV (see fig 1).

Mao fails to disclose automatically integrating interactive content with a video stream in response to one or more triggers.

In analogous art, Zdepski teaches automatically integrating interactive content with a video stream in response to one or more triggers in that Zdepski teaches a program source (remote network 10/400) for providing trigger information which is received by broadcast station (50/450), wherein the broadcast station automatically integrates interactive content with a video stream in response to a received trigger (col. 3, ll. 52-58, col. 3-4, ll. 64-6, col. 4, ll. 27-37).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mao by automatically integrating interactive content with a video stream in response to one or more triggers as taught by Zdepski to include the claimed triggers for the benefit of having a system which automatically inserts interactive content.

Regarding claims 2, 9, 18 and 22, Mao discloses the additional web based information is a web page about a TV commercial (see col 2 lines 65 – 67). Necessarily, the web page is advertising content.

Regarding claims 3, 10 and 25 Mao discloses the user can displaying the associated web page with the TV commercial (see col 2 lines 65 – 67) and thus discloses linking the interactive content with the TV broadcast.

Regarding claims 4, 11 and 26 Mao fails to disclose displaying the integrated content to allow a user to interact with the interactive content.

Official Notice is taken it would have been well known to integrate a first content with a second interactive content for the benefit of enhancing a user's viewing experience. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mao to include the claimed limitation for the benefit of enhancing a user's viewing experience.

Regarding claim 5 and 12, Mao discloses transmitting the TV broadcast with web pages (see fig 1 and col. 4 lines 20 – 25). It is noted that Mao does not disclose modifying the interactive content and the TV broadcast content.

Regarding claims 6 and 13, Mao fails to disclose the claimed advertising banner. Official Notice is taken it would have been well known that displaying an advertising banner both provides displaying additional information while minimizing obstruction of the primary video content. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mao to include the claimed limitation for the benefit of providing a viewer with additional information while minimizing obstructing viewing of the primary video content.

Regarding claims 7 and 14, Mao discloses providing customized and targeted integrated content (see col 2 lines 40 – 45).

Regarding claim 16, Mao discloses the user can access additional information about a commercial (see col 2 lines 63 – 65) and thus discloses the claimed limitation.

Regarding claims 17 and 21, Mao discloses the claimed set-top box 150 (see fig. 1).

Regarding claims 19 and 23, Mao discloses customizing the interactive content for specific users but fails to disclose customizing the interactive content for a specific market, group or geographic region.

Official Notice is taken targeting commercials for a specific market, group or geographic region efficiently provides targeted advertising to a larger group of people. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Mao to include the claimed limitation for the benefit of providing targeted advertising to a larger group of people thus providing a more efficient system for targeting ads.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Y. Koenig whose telephone number is (571) 272-7296. The examiner can normally be reached on M-Fr (8:30 - 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Y Koenig
Primary Examiner
Art Unit 2623

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